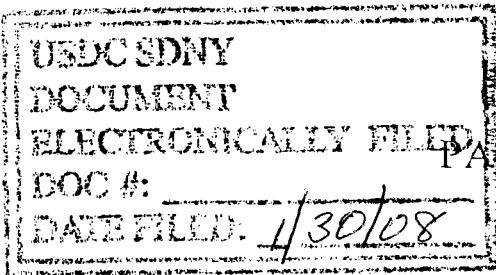


## MEMO ENDORSED



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January 30, 2008

VIA FACSIMILE (212) 805-6724

Amy Martelle

United States District Court

Southern District of New York

United States Courthouse, Room 740

500 Pearl Street

New York, New York 10007-1312

RE: Highgate House, LLC v. Michelex Corp.  
Docket No. 07 CV 6417

Dear Ms Martelle:

When I spoke to you earlier today I had been told that Plaintiff was sending the settlement agreement to me via email. I had understood that Plaintiff had agreed to the settlement proposal we made last November (which was sent to them in writing on December 30). However, the agreement sent to me contained a material change in the settlement. I spoke to counsel immediately, and I believe we can still reach agreement.

However, we do not have a signed agreement at this time. Nevertheless, this letter is to request an additional adjournment of the Settlement Conference. In the event that the Court is unable to grant the adjournment, I annex the confidential settlement letter that I had prepared for the last scheduled conference.

Respectfully submitted,  
Paykin Mahon Rooney & Krieg LLP

A handwritten signature in black ink, appearing to read "AKL".

Albert K. Lawler (AKL 4429)

cc: Robert D. Weber, Esq.  
(Via Facsimile (310) 595-3309)

DENIED.  
I expect to see  
counsel and their clients  
in my courtroom at  
2:15 pm tomorrow.  
Flynn, USMS,  
1/30/08